Law Reform Commission

Thirty-eighth Annual Report 2008-2009

2009

Manitoba Law Reform Commission

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THIRTY-EIGHTH ANNUAL REPORT

2008-2009

March 31, 2009

The Manitoba Law Reform Commission was established by *The Law Reform Commission Act* in 1970 and began functioning in 1971.

Commissioners:

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John C. Irvine
Hon. Mr. Gerald O. Jewers
Alice R. Krueger
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The Department of Justice, Government of Manitoba

and

The Manitoba Law Foundation

Copies of the Commission's Reports may be ordered from the Publications Branch, Office of the Queen's Printer, 200 Vaughan Street, Winnipeg, MB R3C 1T5; however, some of the Commission's Reports are no longer in print.

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THE COMMISSION'S MANDATE

The Manitoba Law Reform Commission is an independent agency of the Government of Manitoba established by *The Law Reform Commission Act*. The Commission's duties are to inquire into and consider any matter relating to law in Manitoba with a view to making recommendations for the improvement, modernization and reform of law, including:

- the removal of provisions of the law that are outdated or inconsistent;
- the maintenance and improvement of the administration of justice;
- the review of judicial and quasi-judicial procedures under any Act;
- the development of new approaches to, and new concepts of, law in keeping with and responsive to the changing needs of society and of individual members of society; and
- any subject referred to it by the Minister.

MANDAT DE LA COMMISSION

La Commission de réforme du droit du Manitoba est un organisme indépendant du gouvernement du Manitoba, établi en vertu de la *Loi sur la Commission de réforme du droit*. La Commission a pour fonctions de faire enquLte sur les questions se rapportant au droit manitobain et de les étudier en vue de faire des recommandations pour améliorer, moderniser et réformer le droit, et notamment en vue:

- de supprimer les dispositions du droit qui sont désuPtes ou incompatibles;
- de soutenir et d'améliorer l'administration de la justice;
- d'examiner les procédures judiciaires et quasi-judiciaires prévues par une loi quelconque;
- d'élaborer de nouvelles méthodes et de nouveaux concepts de droit correspondant B l'évolution des besoins de la société et des individus qui la composent;
- de traiter tout autre sujet que le ministre lui soumet.

PART I

INTRODUCTION

Through 2008-2009, the Manitoba Law Reform Commission continued to strive for improvement of the laws in Manitoba. After a year of consolidation and renewal, the Commission issued six reports in 2008-2009.

The Commission notes with regret the death of our former President, Professor Cliff Edwards, C.M., O.M., Q.C. on July 5, 2008. Professor Edwards served as President of the Commission from 1979 to 2006 and was a driving force for legal education and law reform in Manitoba for decades.

Professor Edwards was born in India and educated in England. In the early years of his career, he practised as a solicitor in London, served as a legal advisor to missions in Nigeria and taught law at Kumasi College, Ghana. In 1958 he joined the Manitoba Law School, becoming Dean in 1964, and led the creation of the University of Manitoba Faculty of Law and the current LL.B. program. Among many achievements, he received the University of Manitoba Stanton Award for excellence in teaching.

Professor Edwards also served as president of the Canadian Association of Law Teachers, Chair of the Council of Canadian Law Deans, a member of the University of Manitoba Board of Governors, a member of the executive committee of the Commonwealth Legal Education Association, a Manitoba representative on the Canadian Uniform Law Commission and a director of the Federation of Law Reform Agencies of Canada. He was named Dean-Emeritus of the Faculty of Law and appointed to the Order of Canada, the Order of Manitoba and Queen's Counsel.

During Professor Edwards' time with the Commission, the Commission submitted over 70 formal reports and several informal reports to the Minister of Justice and Attorney General. More than 80 per cent of these reports were implemented. Professor Edwards was dedicated to law reform, and without his enthusiasm and commitment, the Commission would likely not have survived through difficult times. We are grateful to have had the benefit of his counsel and leadership.

PART II

THE YEAR IN REVIEW
April 1, 2008 to March 31, 2009

1. REPORTS ISSUED

The full text and executive summaries of all reports can be found on our website at http://www.gov.mb.ca/justice/mlrc/.

A. #115 - Mandatory Arbitration Clauses and Consumer Class Proceedings (April 2008)

This report examines mandatory arbitration clauses in consumer contracts that purport to bar consumers from commencing court actions, including class proceedings. When mandatory arbitration clauses are imposed upon consumers, tension arises among class proceedings, arbitration and choice of forum for dispute resolution. This report reviews the impact and judicial consideration of mandatory arbitration clauses in Canada, and examines whether two recent decisions from the Supreme Court of Canada have provided clarity or resolution to this issue. This report further reviews the statutory regime in Manitoba regarding class proceedings, arbitration and consumer protection, and compares it with regimes in other jurisdictions in order to assess whether legislative reform is necessary to ensure that consumers in Manitoba are provided with adequate protection.

The Commission takes the position that legislative intervention is necessary to ensure that Manitoba consumers retain access to their choice of court proceedings, including class proceedings. The Commission also recommends that concurrent statutory amendments should be enacted to *The Consumer Protection Act* and *The Business Practices Act* to stipulate that a mandatory arbitration clause in a consumer agreement is invalid or prohibited. The Commission further recommends that statutory amendments should be enacted which stipulate that a consumer may commence or become a member of a class proceeding despite any consumer clause or agreement to the contrary. Finally, the Commission recommends that recent statutory reforms to the Ontario *Consumer Protection Act* regarding the invalidation of mandatory arbitration in consumer agreements form the model for similar reforms to consumer protection legislation in Manitoba.

The Commission thanks Professor Philip Osborne of the University of Manitoba, Faculty of Law, who suggested this subject as a matter for consideration by the Commission.

B. #116 - Franchise Law (May 2008)

The franchise business model represents a significant portion of the Canadian economy. Franchising may provide a franchisee the opportunity to enter the marketplace with an established business system, and it allows a franchisor to expand its business with reduced capital investment. However, the bargaining power of the parties is often dramatically unequal; the franchisor generally exercises control over the terms of the franchise agreement and over the operation of the franchise throughout the franchise relationship.

The report on *Franchise Law* considers whether legislation to regulate franchising should be enacted in Manitoba. Four provinces have enacted new or revised legislation to regulate franchising in recent years, and in the Commission's view, the lack of regulation in Manitoba places prospective franchisees at a significant disadvantage in comparison to these provinces. The Commission recommends the enactment of franchise legislation in Manitoba, and makes 58 further recommendations that Commissioners believe will protect the interests of franchisees and enable them to make more informed business decisions, while recognizing the commercial interests of franchisors.

The Commission strongly supports thorough pre-sale disclosure to prospective franchisees, and makes several recommendations to ensure that full information is provided about the franchise system before the purchase of a franchise. In addition, the Commission makes recommendations for legislative provisions to ensure a level of protection for franchisees throughout the franchise relationship. The Commission also recommends that the Manitoba Government conduct public awareness initiatives with respect to franchising, and that it circulate draft regulations for consultation.

The Commission thanks A.L. Weinberg, Q.C., of Myers Weinberg LLP in Winnipeg, Manitoba, who suggested that the reform of franchise law would be a useful topic for review, and who provided the Commission with submissions, case examples and reference material. As well, Ian McNaught, a law student at the University of Manitoba in 2006, assisted the Commission in the preparation of the Commission's consultation paper, issued in May, 2007. The Commission also extends its appreciation to those who responded to the consultation paper, who included franchisees, franchisors, associations and practitioners in the area of franchise law, both within and outside of Manitoba.

Finally, the Commission thanks Professor Bryan Schwartz, Asper Chair in International Business and Trade Law, University of Manitoba, John Pozios, Director, Marcel A. Desautels Centre for Private Enterprise and the Law, and Leandro Zylberman, a law student at the University of Manitoba in 2007-08, who organized and hosted the 2008 Franchise Law Symposium in March, 2008, in response to the Commission's consultation paper. The comments and recommendations made at the symposium were of assistance to the Commission in the preparation of the final report.

C. Western Canada Law Reform Agencies – Enduring Powers of Attorney: Areas for Reform (July 2008)

The Manitoba Law Reform Commission is a member of the Western Canada Law Reform Agencies (WCLRA), a consortium of law reform agencies formed to encourage harmonization of the laws of the four western provinces. The other members of the WCLRA are the Alberta Law Reform Institute, the British Columbia Law Institute and the Law Reform Commission of Saskatchewan. WCLRA members have agreed to work on joint law reform projects in areas where uniformity may be beneficial.

The first project undertaken by the WCLRA addresses the law governing enduring and springing powers of attorney (EPAs). Many people rely on an EPA to authorize an attorney to handle their financial affairs should they become mentally incapable. In its report *Enduring Powers of Attorney: Areas for Reform*, the WCLRA recommends improvements in the EPA statutes of all four western provinces to address common issues. The report recognizes that EPAs are useful planning tools for many Canadians, and that reform initiatives must minimize their complexity and cost. The recommendations are designed to make it easier to use EPAs in cross-border situations, to promote wider understanding and knowledge of attorney duties, and to provide some additional safeguards against attorney misuse of an EPA.

The WCLRA recommends that the western provinces implement standard formal requirements for making EPAs, changes to promote the recognition of EPAs made in other provinces and a standard form EPA, for those who wish to use it. The report also recommends that each province adopt and publicize a uniform statutory list of attorney duties, to minimize the risk that an attorney will misuse the power of an EPA, through ignorance or otherwise. To safeguard against misuse, the WCLRA makes recommendations to require an attorney to give notice to specified people when he or she begins to act under an EPA and to allow public officials to undertake investigations of suspected EPA misuse.

D. #117 – Enduring Powers of Attorney: Supplementary Report (September 2008)

The WCLRA report *Enduring Powers of Attorney: Areas for Reform* was not intended to deal with all aspects of enduring and springing powers of attorney (EPAs) legislation in all four western provinces. Statutory differences will remain, and the four law reform agencies are free to examine additional matters within their respective jurisdictions that may require reform. The Manitoba Law Reform Commission considered that the publication of the WCLRA report provided a timely opportunity to examine additional EPA issues in Manitoba. In its report *Enduring Powers of Attorney: Supplementary Report*, the Commission provides an overview of the impact of the WCLRA report on *The Powers of Attorney Act* and makes additional recommendations for reform of the *Act*.

The Commission makes recommendations to clarify aspects of *The Powers of Attorney Act*, and to ensure that donors' interests are protected. The Commission recommends amendments to

clarify the formal requirements for an EPA, to address attorney qualifications and the circumstances that will terminate an attorney's authority, and to require an attorney to register notice on the title to the donor's land that the attorney has become solely responsible for decision making regarding the land under an EPA. The duty of an attorney in the existing Act to act on behalf of the donor once the attorney has accepted his or her appointment under an EPA should continue in place.

Amendments are also recommended to update *The Wills Act*, *The Real Property Act* and *The Homesteads Act*. Finally, the Commission recommends that a legislative review be conducted to ensure that Manitoba statutes include the appropriate references to an attorney acting under an EPA.

The Commission thanks Richard Wilson, Registrar General and Chief Operating Officer of the Manitoba Property Registry (retired) for his assistance respecting the registration of an EPA notice on the title to a donor's land.

E. #118 - Posthumously Conceived Children: Intestate Succession and Dependants Relief; *The Intestate Succession Act*: Sections 1(3), 6(1), 4(5), 4(6) and 5 (November 2008)

The Commission's report on *Posthumously Conceived Children: Intestate Succession and Dependants Relief* considers three matters respecting intestate succession: two are amendments to existing sections of *The Intestate Succession Act*, and the third is the question whether posthumously conceived children should be eligible to inherit from and through a deceased parent who dies intestate or to receive dependants relief.

Nowadays, conception can occur through assisted reproduction technologies after the death of at least one biological parent by using cryopreserved gametic material. Sooner or later, such a posthumously conceived child will emerge who would be entitled to participate in an intestacy or make application for dependants relief, but for the silence of the Acts. The Commission recommends that *The Intestate Succession Act* and *The Dependants Relief Act* be amended to include posthumously conceived children in order to remedy the current discrimination and to avoid costly litigation.

The Commission recommends that *The Intestate Succession Act* be amended to require of survivors conceived before and born after the death of an intestate and of posthumously conceived children, the 15 day survival which is required of other survivors of the intestate. The Commission also recommends an amendment to provide for an equal sharing on an intestacy by maternal and paternal cousins of equal degree of kinship.

F. #119 - Private International Law (January 2009)

This report deals with two matters arising out of the Supreme Court of Canada decision in *Tolofson v. Jensen*; *Lucas v. Gagnon*, namely choice of law for tort and the characterization of limitation periods, and with jurisdiction simpliciter and the concept of real and substantial connection pertaining thereto.

In *Tolofson*, it was held that, in a tort action, the court must apply the law of country of the wrong in respect of the substantive issues. The Commission recommends the enactment of legislation to codify the *Tolofson* general rule, with greater specificity, and to empower Manitoba courts to apply a different law in exceptional circumstances.

The Supreme Court of Canada also held in *Tolofson* that limitation periods are substantive, rather then procedural. The Commission recommends that *The Limitation of Actions Act* be amended to codify this principle.

Finally, the report deals with the establishment of the jurisdiction of the Court of Queen's Bench in cases where a defendant has been served with a statement of claim outside of Manitoba. Currently, the case law is in a state of uncertainty. The Commission recommends that Manitoba follow several provinces that have enacted the model legislation proposed by the Uniform Law Conference of Canada entitled the *Uniform Court Jurisdiction and Transfer Proceedings Act*.

The Commission thanks Professor Vaughan Black, Faculty of Law, Dalhousie University, Professor Stephen Pitel, Faculty of Law, University of Western Ontario, and John Swan, Aird & Berlis, Toronto, for commenting upon a draft of the report. The Commission thanks Professor Emeritus Raymond Brown, Faculty of Law, University of Windsor, Professor Lewis Klar, Faculty of Law, University of Alberta, Professor Charles Mitchell, School of Law, King's College, London, Andrew Dickinson, Clifford Chance, London, James Lee, Birmingham Law School, and Phil Lister, Philip G. Lister Professional Corporation, Edmonton for their assistance with our deliberations respecting an exemption for the tort of defamation.

2. IMPLEMENTATION

We continue to urge the Minister of Justice to implement the outstanding recommendations of the Commission. In addition to our most recent reports, areas of particular concern to the Commission are the recommendations relating to: *Enduring Powers of Attorney: Supplementary Report* (Report #117, 2008), *Wills and Succession Legislation* (Report #108, 2003), *Compensation for Vaccine-Damaged Children* (Report #104, 2000), *Informal Assessment of Competence* (Report #102, 1999), *Trustee Investments: The Modern Portfolio Theory* (Report #101, 1999) and *Confidentiality of Mediation Proceedings* (Report #94, 1996).

3. CURRENT PROJECTS

A. Waivers of Liability for Sporting and Recreational Injuries

The Commission is considering the use of waivers of liability by the providers of sporting and recreational activities. Contractual waivers are usually required for consumers to participate in a wide variety of activities and generally are designed to negate the civil liability of providers of sporting and recreational activities for the personal injuries or death of consumers.

This report will provide an overview of civil liability for providers of sporting and recreational activities for the personal injuries or death of consumers arising under three regimes of legal responsibility: *The Occupiers' Liability Act*, the tort of negligence and the law of contract. This report will review Canadian case law on personal injury and fatality claims involving contractual waivers of liability and will consider the approach in other jurisdictions in respect of the use of waivers of liability.

The Commission issued a consultation paper and has carefully considered the feedback. The final report is expected to be released in May 2009.

B. *The Limitation of Actions Act*

Manitoba's *Limitations of Actions Act* was enacted in 1931, and although amended in 1967, 1980 and 2002, is based on the same principles as the original English limitations legislation, much of which dates back to the 17th century. In recent years several Canadian jurisdictions have enacted, and the Uniform Law Conference has proposed, legislation that simplifies and rationalizes the law of limitations.

The Commission is currently considering recommendations as to whether and how Manitoba should modernize its legislation, including reform in relation to both personal and real property limitations, and expects to release a consultation report in June, 2009.

C. Improving Administrative Justice in Manitoba: Starting with the Appointments Process

Manitoba has approximately 160 administrative agencies, boards and commissions that operate outside the government departmental structure. The government relies on administrative agencies, boards and commissions to regulate, adjudicate, give advice, administer substantial financial and other assets and provide goods and services. About 1500 are appointed by the government to these boards as full or part time decision makers.

The Commission is examining the elements of the formal and informal mechanisms for appointments to administrative agencies, boards and commissions and considering recommendations for a new appointments process for Manitoba.

D. Pension Benefits and Marital Breakdown

The Commission is carrying out research with respect to the division of pension benefits on marital breakdown. The economic disadvantage resulting from the loss of survivor's benefits by a divorced spouse was raised with the Commission, and the Commission is also considering broader questions of the division of benefits generally. Currently in Manitoba, *The Pension Benefits Act* requires the use of the Immediate Settlement Method for the division of pension benefits in a defined benefit plan, which requires that the commuted value of the spouse's share in the pension be transferred from the plan immediately, valued as if the member's employment terminated on the date of separation. The Commission is considering whether the use of another method would provide a more equitable result.

E. Review of Defamation Law Respecting Journalism

The Commission had been engaged in a project regarding defamation law respecting journalism, with particular emphasis on publications concerning matters of public interest. Some of the issues under consideration by the Commission included defences available to the communications media for the tort of defamation and whether law reform is required in Manitoba. During the consultation phase of this project, the Ontario Court of Appeal released the decision of *Cusson v. Quon* which recognized a "public interest responsible journalism" defence where certain standards of responsible journalism have been observed. An appeal of this case was heard by the Supreme Court of Canada on February 17, 2009 and judgment was reserved.

The Commission is awaiting the Supreme Court of Canada decision in *Cusson v. Quon*, after which, depending upon the decision, the Commission will publish either a formal or informal report.

4. POTENTIAL PROJECTS

The Commission has reviewed the law reform projects that had been deferred in previous years along with a number of suggestions for new projects, and has created the following list of projects in no particular order:

- Prenatal liability
- Compensation for loss of dower rights
- *The Nuisance Act*
- *The Occupiers' Liability Act*
- *The Tortfeasors and Contributory Negligence Act*
- Contiguous lands: natural and other encroachments
- *The Trustee Act*
- Enforcement of judgments
- Obsolete statutes
- Service of documents
- Doctrine of *caveat emptor* in residential real estate[1]
- Parol evidence rules

The Commission welcomes comments and suggestions with respect to these subject areas, as well as in relation to other projects that may be appropriate for review.

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1 The Commission is aware that John Neufeld, Q.C. is preparing a report for the Government of Manitoba on *caveat emptor*; our work on this topic will depend on the outcome of that report.

PART III

ADMINISTRATION

1. THE COMMISSIONERS

The current members of the Commission and their terms of office are as follows:

Commissioner	Affiliation	Term expires
Cameron Harvey, Q.C.	Professor Emeritus, Faculty of Law University of Manitoba	June 21, 2009
John C. Irvine	Professor, Faculty of Law University of Manitoba	August 20, 2009
Gerald O. Jewers	Justice, Court of Queen's Bench (retired)	June 21, 2009
Alice R. Krueger	Lay member	June 21, 2009
Perry W. Schulman	Justice, Court of Queen's Bench	July 25, 2010

During the past year, the Commission held 12 regular meetings.

2. STAFF

Currently, the Commission staff consists of Debra Floyd as the Commission's Administrator, and Darlene Jonsson and Leah Craven as legal counsel. The office is staffed three days per week.

3. CONSULTANTS

The Commission thanks Professor Linda Vincent, retired from the Faculty of Law, University of Manitoba, who was retained as our consultant to prepare a draft report on *Posthumously Conceived Children: Intestate Succession and Dependants Relief.* Jonathan Penner, independent researcher, also assisted the Commission again during the past year, preparing a draft report concerning *The Limitations of Actions Act.* The Commission thanks Professor Philip Osborne of the Faculty of Law, University of Manitoba who was retained as our consultant to prepare a draft report on *Waivers of Liability for Sporting and Recreational Injuries* and provided much guidance throughout this project. As well, we thank Mr. James Lee, Lecturer, Birmingham Law School who was consulted to provide legal research respecting the use of waivers of liability in the United Kingdom. We also thank Professor Karen Busby of the University of Manitoba Faculty of Law, who

has been retained to prepare a draft report on *Improving Administrative Justice in Manitoba: Starting with the Appointments Process*. We greatly appreciate our consultants' valuable assistance. We note, however, that the recommendations made in our reports are those of the Commission and do not necessarily reflect the views of our consultants.

4. FINANCE

The Manitoba Law Foundation provides a yearly grant of $100,000 to the Commission. For the fiscal year 2008-2009 the Commission was again fortunate to receive an additional $20,000 from the Manitoba Law Foundation, increasing the grant to $120,000. The Department of Justice continues to provide a combination of in-kind services ($15,000) and a grant ($85,000), for a total of $100,000.

In March, 2008, the Manitoba Law Foundation generously approved the Commission's request of a Special Capital Grant in the amount of $10,000 to be used for the purchase of office furniture and equipment. The Commission was able to refurnish the offices with much needed ergonomic workstations, boardroom chairs and office equipment.

We wish to thank both the Department of Justice and the Manitoba Law Foundation for their continued support of our work.

5. PUBLIC RELATIONS

Darlene Jonsson, Leah Craven and Debra Floyd participated in the Federation of Law Reform Agencies of Canada Symposium held March 8-10, 2009. Our attendance at the Continuing Improvement in Canadian Law Reform Symposium was funded by a generous contribution from the Alberta Law Reform Institute and the British Columbia Law Institute. The Symposium was hosted by the British Columbia Law Institute at the Inn at Laurel Point, in scenic Victoria, British Columbia. The three day, four session symposium focused on themes surrounding multi-jurisdictional law reform, and the planning, initiation, conduct and implementation of law reform projects. The symposium concluded with a roundtable discussion on the future of law reform in Canada and the goals of the Federation.

Darlene, Leah and Debra found the Symposium very educational, informative, and thought provoking. We are looking forward to the next opportunity to meet with delegates from the Federation of Law Reform Agencies of Canada. The next Symposium should be in 2011 and will be hosted by the Law Commission of Ontario.

Professor Cameron Harvey was asked by the Society of Trust and Estate Practitioners to deliver a presentation on "Status of Power of Attorney Law Reform in Canada" on March 10, 2009. The session reviewed the recommendations of the Commission in our two recent reports, *Enduring Powers of Attorney: Areas for Reform* and *Enduring Powers of Attorney: Supplementary Report*, with respect to amending *The Powers of Attorney Act*, along with the execution and drafting issues that may arise when creating the documents.

On March 24, 2009, Professor Harvey participated on the "The Rutherford Show", a live radio talk program based in Alberta. Professor Harvey joined the show for a 20 minute, live telephone interview concerning the Commission's recent report on *Posthumously Conceived Children: Intestate Succession and Dependants Relief*.

The Commission provides a monthly submission on law reform updates throughout Canada for the Manitoba Bar Association, Legal Research Section newsletter, *The Law and Library Monthly*. This electronic publication is circulated to all members of the Manitoba Bar Association Legal Research Section. The Commission also submits regular reports to the Manitoba Bar Association monthly newsletter *Headnotes and Footnotes*.

At the request of the Law Society of Manitoba, the Commission provides a news release of all reports for inclusion in *eLaw*, an electronic subscription available to all members of the Law Society of Manitoba as a professional development and competence tool.

The Commission also contributes project updates to *Reform*, a journal of contemporary law reform issues published by the Australian Law Reform Commission.

Many of the Commission's reports have been referred to or commented upon in written publications and electronic sources, including *The Lawyer's Weekly*, *The Globe and Mail*, *The Canadian Press*, *CTV Globe Media* and various law firm and law societies' websites.

PART IV

CONCLUSION

We again wish to express our thanks to the Manitoba Law Foundation and to the Department of Justice for their continued support of the work of the Commission.

We wish to thank the staff of the Department of Justice, the Faculty of Law, Provincial Archives and Legislative libraries and the staff of the Property Registry for their continued assistance over the past year.

We also wish to thank the Deputy Minister, Mr. Jeffrey Schnoor, Q.C., and the Minister of Justice and Attorney General, the Hon. Dave Chomiak, for their support.

This is a report pursuant to section 15 of *The Law Reform Commission Act*, C.C.S.M. L95, dated this 31st day of March 2009.

(original signed by)
Cameron Harvey, President

(original signed by)
John C. Irvine, Commissioner

(original signed by)
Gerald O. Jewers, Commissioner

(original signed by)
Alice R. Krueger, Commissioner

(original signed by)
Perry W. Schulman, Commissioner

APPENDIX A

Statement of Receipts and Expenditures 2008-2009 Fiscal Year
(000's)

RECEIPTS

Funds carried forward	$ 57.4
Grant from Department of Justice	85.0[1]
Last instalment from the Manitoba Law Foundation for 2007/08	30.0
Grant from the Manitoba Law Foundation (first 3 quarterly instalments)	90.0[2]
Special Capital Grant from the Manitoba Law Foundation	10.0[3]
Total	**$272.4**

EXPENDITURES

Commissioners' remuneration and benefits	$ 39.4
Staff remuneration (part-time)	115.3
Payroll administrative costs	8.6
Consultants	21.3
Telephone, fax, postage, courier	4.3
Supplies and service	7.0
Printing and photocopying	6.9
Computer related expenses	6.9
Meetings, travel and accommodation	0.8
Subscriptions and other operating expenses	1.8
Membership fees	6.4
Total	**$218.7**

Surplus (Deficit) ..... **$53.7**[4]

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1 The Province of Manitoba provides the Manitoba Law Reform Commission with an $85,000 grant coupled with $15,000 in-kind services provided by the Department of Justice for accounting services and office accommodation, bringing the total grant from the Province to $100,000.

2 As noted in previous reports, we carry forward a balance of at least $30,000 each year of our grant from the Manitoba Law Foundation as this last instalment is not received until March 31st each year. Again, this year, with the core grant increase of $20,000 from the Manitoba Law Foundation, our quarterly instalment payments increased to $30,000, totalling a grant of $120,000 for 2008-2009.

3 The Manitoba Law Reform Commission was invited to apply to the Manitoba Law Foundation for a special grant. This was a one-time grant of up to $10,000 for the use of office furniture or equipment.

4 In addition, a large portion of this year's surplus is due to an outstanding consultation fee for a current project, as well as funds which were designated for printing and distribution costs for reports.

APPENDIX B

REPORTS OF THE MANITOBA LAW REFORM COMMISSION AND THEIR IMPLEMENTATION

Report #	Title	Date	Implementation of Commission's Recommendations
#1	Jury Services for Registered Indians	April 7, 1971	An Act to Amend The Jury Act, S.M. 1971, c. 32
#2	Summary Disposition of Builders' and Workmen's Liens	April 13, 1971	An Act to Amend The Builders and Workmen Act, S.M. 1976, c. 22
#3	Disposition of Maintenance Judgments in Land Titles Offices	May 25, 1971	An Act to Amend The Judgments Act, S.M. 1972, c. 4
#4	An Act Respecting Billiard and Pool Rooms proposed repeal	October 19, 1971	The Statute Law Amendment Act (1974), S.M. 1974, c. 59 (s. 8)
#5	Recommended Right of Mortgagors to Obtain Annual Statements	October 19, 1971	An Act to Amend The Mortgage Act, S.M. 1971, c. 28
#6	Enactment of a Mineral Declaratory Act	December 20, 1971	The Sand and Gravel Act, S.M. 1972, c. 34 An Act to Amend The Mines Act, S.M. 1972, c. 70 (s. 11) An Act to Amend The Real Property Act, S.M. 1972, c. 70 (ss. 15 and 16)
#7	Powers of Entry, Search and Seizure in The City of Winnipeg Act	January 24, 1972	An Act to Amend The City of Winnipeg Act, S.M. 1972, c. 93 (ss. 26, 37, 68, 69, 89 and in part ss. 38, 39 and 63)
1A	Auto Engine Numbers in Section 11 of The Bills of Sale Act	May 11, 1971	The Statute Law Amendment Act, S.M. 1972, c. 81 (s. 3)
1B	(a) Prospect of Mortgagor's Relief from Provisions of Section 20(6) of The Mortgage Act (b) Right to Have Mortgage Discharged Upon Payment in Full After Five Years	December 29, 1971 December 29, 1971	(change not recommended) An Act to Amend The Real Property Act, S.M. 1972, c. 37 (s. 103(1)
1C	Amending provisions as to costs in Part II of The County Courts Act to avoid inconsistency with intent of this new legislation	January 12, 1972	An act to Amend The County Courts Act, S.M. 1972, c. 38

Report #	Title	Date	Implementation of Commission's Recommendations
	First Annual Report	March 13, 1972	(not applicable)
#8	Section 45 of the Offenses Against the Person Act, 1861	July 27, 1972	An Act to Amend The Tortfeasors and Contributory Negligence Act, S.M. 1973, c. 13
#9	A Review of The Privacy Act with proposed Amendments to the Criminal Code of Canada	September 11, 1972	(change not recommended)
#10	The Abolition of Interspousal Immunity in Tort	December 19, 1972	An Act to Amend The Married Women's Property Act, S.M. 1973, c. 12; An Act to Amend The Tortfeasors and Contributory Negligence Act, S.M. 1973, c. 13; An Act to Amend The Criminal Injuries Compensation Act, S.M. 1973, c. 23
2A	Comments on draft Bill to Amend The Jury Act	April 21, 1972	An Act to Amend The Jury Act, S.M. 1972, c. 56
2B	Relaxation of Limit of Number of Trustees under The Trustee Act	June 22, 1972	An Act to Amend The Trustee Act, S.M. 1972, c. 60
2C	Uniformity of Definition of Age as between The Age of Majority Act (Man.) And the Criminal Code and the Interpretation Act (Can.)	August 14, 1972	(not applicable for provincial amendment)
2D	Automatic Attachment of Wages for Maintenance Orders	November 27, 1972	An Act to Amend The Garnishment Act, S.M. 1974, c. 8
	Second Annual Report	March 20, 1973	(not applicable)
#11	The Advisability of a Good Samaritan Law	March 8, 1973	(change not recommended)
#12	Section 110 of The Real Property Act - the immortal Manitoba mortgage	April 11, 1973	An Act to Amend The Real Property Act, S.M. 1974, c. 44
#13	Pre-licensing Education for Real Estate Agents in Manitoba	December 3, 1973	An Act to Amend The Real Estate Brokers Act, S.M. 1975, c. 23
#14	Special Enduring Powers of Attorney	January 8, 1974	The Powers of Attorney Act, S.M. 1980, c. 4

Report #	Title	Date	Implementation of Commission's Recommendations
#15	Administration of Justice Part I - Control of Post-arrest/pre-trial detention	February 26, 1974	Administration of the Public Safety Building in Winnipeg assumed by the Province of Manitoba, effective October 1, 1977; now called The Winnipeg Remand Centre
3A	Conferring of matrimonial jurisdiction upon a County Court Judge as a local Judge of The Queen's Bench within the Eastern Judicial District	March 30, 1973	An Act to Amend The Queen's Bench Act, S.M. 1978, c. 28
3B	Correcting recent error in s. 51 of The Queen's Bench Act	September 26, 1973	An Act to Amend The Queen's Bench Act, S.M. 1974, c. 15
3C	Conferring jurisdiction to extend time for payment of fines upon provincial judges other than those who imposed such fines	October 16, 1973	(not applicable for provincial enactment)
3D	Up-dating index to Statutes of Manitoba	October 23, 1973	Indexing commenced; computer search of statutes available
3E	Repeal of Section 212 of The Liquor Control Act	December 19, 1973	Substantial acceptance under s. 16 of An Act to Amend The Liquor Control Act, S.M. 1974, c. 63
	Third Annual Report	April 1, 1974	(not applicable)
#16	Definition of Death	May 6, 1974	An Act to Amend The Vital Statistics Act, S.M. 1975, c. 5
#17	An International Form of Wills for Manitobans	May 6, 1974	An Act to Amend The Wills Act, S.M. 1975, c. 6
#18	The Rule in Saunders v. Vautier	January 8, 1975	An Act to Amend The Trustee Act, S.M. 1982-83-84, c. 38 (s. 4)
#19	The Administration of Justice in Manitoba Part II - Review of The Jury System	February 11, 1975	An Act to Amend The Jury Act, S.M. 1977, c. 18
4A	Interprovincial Subpoenas	January 27, 1975	The Interprovincial Subpoena Act, S.M. 1975, c. 3
4B	Enforcement of Custody Orders	January 27, 1975	The Extra-Provincial Custody Orders Enforcement Act, S.M. 1975, c. 4
4C	Statutory Sums	February 11, 1975	Various amendments to Manitoba statutes

Report #	Title	Date	Implementation of Commission's Recommendations
	Fourth Annual Report	April 9, 1975	(not applicable)
#20	The Highway Traffic Act	June 16, 1975	An Act to Amend The Highway Traffic Act, S.M. 1977, c. 34 An Act to Amend The Highway Traffic Act and The Tortfeasors and Contributory Negligence Act, S.M. 1980, c. 19
#21	The Administration of Justice in Manitoba Part III - Consolidation of Extra-Provincial Judgment Enforcement	January 28, 1976	-
#22	Some Aspects of Fire Insurance Legislation in Manitoba	February 9, 1976	An Act to Amend The Insurance Act, S.M. 1982, c. 11 (s. 1)
#23	Family Law - Part I The Support Obligation	February 27, 1976	The Family Maintenance Act, S.M. 1978, c. 25
#24	Family Law - Part II Property Disposition	February 27, 1976	An Act to Amend The Gift Tax Act (Manitoba) and The Succession Duty Act (Manitoba), S.M. 1977 (2nd Session), c. 2 The Marital Property Act, S.M. 1978, c. 24 An Act to Amend various Acts relating to Marital Property, S.M. 1978, c. 27 An Act to Amend The Wills Act, S.M. 1980, c. 7
5A	Limitation of Actions for the taking away, conversion or detention of chattels	May 26, 1975	An Act to Amend The Fatal Accidents Act and Limitation of Actions Act, S.M. 1976, c. 41 (ss. 2-4)
	Fifth Annual Report	March 29, 1976	(not applicable)
#25	The Case for a Provincial Bill of Rights	May 19, 1976	-
#26	Revision of Birth Certificates of Trans-sexual Persons	September 13, 1976	The Vital Statistics Act, S.M. 1982-83-84, c. 58
	Sixth Annual Report	March 14, 1977	(not applicable)

Report #	Title	Date	Implementation of Commission's Recommendations
7A	The Local Authorities Election Act	May 31, 1977	An Act to Amend The Local Authorities Election Act, S.M. 1980, c. 48
	Seventh Annual Report	March 1, 1978	(not applicable)
#27	Limitation of Actions: Time Extensions for Children, Disabled Persons and Others	January 8, 1979	An Act to Amend The Limitation of Actions Act, S.M. 1980, c. 28
#28	Enforcement of Judgments Part I: Exemptions under The Garnishment Act	January 8, 1979	An Act to Amend The Garnishment Act, S.M. 1979, c. 8
#29	Emergency Apprehension, Admissions and Rights of Patients under The Mental Health Act	February 12, 1979	An Act to Amend The Mental Health Act, S.M. 1980, c. 62
#30	Confidentiality of Adoption Records	February 12, 1979	An Act to Amend The Child Welfare Act, S.M. 1979, c. 22 (s. 60) An Act to Amend The Child Welfare Act, S.M. 1980, c. 41 Establishment of a Post-adoption Registry
8A	Section 5(1) of The Social Allowances Act	March 30, 1978	The Statute Law Amendment Act (1984), S.M. 1984, c. 17
	Eighth Annual Report	February 12, 1979	(not applicable)
#31	Political Financing and Election Expenses	August 13, 1979	The Elections Finances Act, S.M. 1980, c. 68
#32	Mechanics' Liens Legislation	August 13, 1979	The Builders' Liens Act, S.M. 1980-81, c. 7
#33	Enforcement of Revenue Statutes	August 13, 1979	The Charter Compliance Statute Amendment Act, S.M. 1985, c. 50
#34	Enforcement of Judgments Part III: Exemptions under The Executions Act	October 22, 1979	An Act to Amend The Executions Act, S.M. 1980, c. 55
#35	Estate Claims for Loss of Expectation of Life	October 22, 1979	An Act to Amend The Fatal Accidents Act and The Trustee Act, S.M. 1980, c. 5

Report #	Title	Date	Implementation of Commission's Recommendations
#36	Improved Methods of Enforcing Support Orders Against Real Property	November 19, 1979	The Family Law Amendment Act, S.M. 1980, c. 54
#37	Systems of Voter Registration	November 26, 1979	The Elections Act, S.M. 1980, c. 67
#38	The One Year Rule for Enforcement of Arrears in Maintenance	January 21, 1980	An Act to Amend The Family Maintenance Act and The Queen's Bench Act, S.M. 1980, c. 21
9A	The Fire Departments Arbitration Act	April 17, 1979	An Act to Amend The Fire Departments Arbitration Act, S.M. 1980, c. 27
9B	Section 7 of The Payment of Wages Act	August 15, 1979	An Act to Amend The Payment of Wages Act, S.M. 1980, c. 57
9C	The Seduction Act	October 22, 1979	The Equality of Status Act, S.M. 1982, c. 10
9D	Section 9 of The Manitoba Evidence Act	November 6, 1979	An Act to Amend The Manitoba Evidence Act, S.M. 1980, c. 26
9E	The Wills Act and Ademption	November 20, 1979	An Act to Amend The Wills Act, S.M. 1980, c. 7
9F	The term "illegitimate"	December 4, 1979	(change not recommended)
	Ninth Annual Report	February 25, 1980	(not applicable)
#39	Controverted Elections	April 21, 1980	The Elections Reform Act, S.M. 2006, c. 15 repealed The Controverted Elections Act and enacted The Elections Act, C.C.S.M. c. E30
#40	Enforcement of Judgments Part II: Exemptions under The Judgments Act	April 21, 1980	-
#41	The Statute of Frauds	August 11, 1980	An Act to repeal the Statute of Frauds, S.M. 1982-83-84, c. 34
#42	Occupiers' Liability	August 11, 1980	The Occupiers' Liability Act, S.M. 1982-83-84, c. 29; The Statute Law Amendment Act (1984), S.M. 1984, c. 17 (s. 28)
#43	The Wills Act and the Doctrine of Substantial Compliance	September 8, 1980	The Wills Act, S.M. 1982-83-84, c. 31

Report #	Title	Date	Implementation of Commission's Recommendations
#44	The General Register	September 22, 1980	The Real Property Act and Various Other Acts Amendments Act, S.M. 1987, c. 27
#45	Simplified Mortgage	December 15, 1980	(legislative amendment not required)
10A	Municipal Assessment of Personal Property	February 26, 1980	(referred to Special Committee)
10B	The Marriage Settlement Act	October 9, 1980	The Statute Law Amendment Act, S.M. 1980-81, c. 26 (s. 22)
	Tenth Annual Report	February 16, 1981	(not applicable)
#46	Conflict of Interest of Municipal Councillors	April 14, 1981	The Municipal Conflict of Interest Act, S.M. 1982-83-84, c. 44
#47	Prejudgment Compensation on Money Awards: Alternatives to Interest	January 4, 1982	The Judgment Interest and Discount Act, S.M. 1986, c. 39 (implemented in principle) (now contained in Part XIV of The Court of Queen's Bench Act)
#48	Prescriptive Easements and Profits-B-prendre	January 18, 1982	-
#49	The Rules Against Accumulations and Perpetuities	February 12, 1982	The Perpetuities and Accumulations Act, S.M. 1982-83-84, c. 43
#50	Investment Provisions under The Trustee Act	February 12, 1982	An Act to Amend The Trustee Act, S.M. 1982-83-84, c. 38
11A	Parents' Maintenance Legislation	March 3, 1981	The Parents' Maintenance Act, S.M. 1985-86, c. 47, s. 34
11B	Provincial Offences Procedures	June 29, 1981	An Act to Amend The Summary Convictions Act, S.M. 1982, c. 24
11C	The Remembrance Day Act	January 28, 1982	-
	Eleventh Annual Report	February 14, 1982	(not applicable)
#51	The Survivorship Act	September 7, 1982	The Survivorship Act, S.M. 1982-83-84, c. 28

Report #	Title	Date	Implementation of Commission's Recommendations
#52	Structure of the Courts, Part I: Amalgamation of the Court of Queen's Bench and the County Courts of Manitoba	October 25, 1982	An Act to Amend The Queen's Bench Act and to repeal The County Courts Act, The Surrogate Courts Act and The County Court Judges' Criminal Courts Act and to amend The Municipal Boundaries Act, S.M. 1982-83-84, c. 82 The Court of Queen's Bench Small Claims Practices Act, S.M. 1982-83-84, c. 83 The Court of Queen's Bench Surrogate Practice Act, S.M. 1982-83-84, c. 84 An Act to amend Various Acts of the Legislature to facilitate the Reorganization and Expansion of the Court of Queen's Bench, S.M. 1982-83-84, c. 85
#53	The Law of Domicile	December 1, 1982	The Domicile and Habitual Residence Act, S.M. 1982-83-84, c. 80
#54	Certificates of Lis Pendens	February 1, 1983	The Court of Queen's Bench Act, S.M. 1988-89, c. 4 (s. 58)
#55	Structure of the Courts, Part II: The Adjudication of Smaller Claims	March 7, 1983	The Statute Law Amendment Act (1985), S.M. 1985, c. 51
	Twelfth Annual Report	April 11, 1983	(not applicable)
#56	Medical Privilege	October 4, 1983	(privilege not recommended)
#57	Uniform Sale of Goods Act	November 1, 1983	-
	Thirteenth Annual Report	April 2, 1984	(not applicable)
#58	Administrative Law; Part I: Procedures of Provincial Government Agencies	June 29, 1984	(legislative amendment not required); implementation, in part, through governmental policy
#59	Breach of Promise to Marry	October 1, 1984	The Family Law Amendment Act, S.M. 1987, c. 21
14A	Jactitation of Marriage	October 5, 1984	The Family Law Amendment Act, S.M. 1987, c. 21

port #	Title	Date	Implementation of Commission's Recommendations
)	An Examination of The Dower Act	November 19, 1984	The Homesteads, Marital Property Amendment and Consequential Amendments Act, S.M. 1992, c. 46
1	Intestate Succession	March 25, 1985	The Intestate Succession and Consequential Amendments Act, S.M. 1989-90, c. 43
	Fourteenth Annual Report	April 2, 1985	(not applicable)
2	Small Projects 1) Section 6 of The Mercantile Law Amendment Act 2) The Rule in Shelley's Case 3) Permissive and Equitable Waste	October 7, 1985	The Law Reform (Miscellaneous Amendments) Act, S.M. 1992, c. 32
3	The Testators Family Maintenance Act	December 16, 1985	The Dependants Relief Act, S.M. 1989-90, c. 42
4	The Married Women's Property Act and Related Matters	December 16, 1985	-
5	Section 83 of The Queen's Bench Act	March 31, 1986	The Statute Law Amendment Act (1986), S.M. 1986-87, c. 19 (s. 12)
6	The Human Tissue Act	March 31, 1986	The Human Tissue Act, S.M. 1987, c. 39; The Human Tissue Amendment Act, S.M. 1989-90, c. 28 An Act to Amend The Anatomy Act, S.M. 1987, c. 57
A	Section 300 of The Liquor Control Act	June 17, 1985	The Law Reform (Miscellaneous Amendments) Act, S.M. 1992, c. 32
	Fifteenth Annual Report	May 6, 1986	(not applicable)
7	Sections 33 and 34 of The Wills Act	June 16, 1986	The Statute Law Amendment Act (1987), S.M. 1987-88, c. 66 (s. 25); The Wills Amendment Act, S.M. 1989-90, c. 44
8	Periodic Payment of Damages	March 31, 1987	The Court of Queen's Bench and Consequential Amendments Act, S.M. 1993, c. 19

Report #	Title	Date	Implementation of Commission's Recommendations
#69	Administrative Law, Part II: Judicial Review of Administrative Action	March 31, 1987	-
	Sixteenth Annual Report	April 13, 1987	(not applicable)
17A	The Wages Recovery Act	September 9, 1987	The Law Reform (Miscellaneous Amendments) Act, S.M. 1992, c. 32
	Seventeenth Annual Report	September 14, 1988	(not applicable)
#70	The Manitoba Law Reform Commission: A Framework for the Future	November 23, 1988	The Law Reform Commission Act, S.M. 1989-90, c. 25
#71	The Bulk Sales Act	December 21, 1988	The Law Reform (Miscellaneous Amendments) Act, S.M. 1992, c. 32
	Eighteenth Annual Report	August 8, 1989	(not applicable)
#72	The Independence of Provincial Judges	June 28, 1989	The Provincial Court Amendment Act, S.M. 1989-90, c. 34; The Provincial Court Amendment Act, S.M. 1994, c. 14
	Nineteenth Annual Report	May 15, 1990	(not applicable)
#73	Statutory Designations and The Retirement Plan Beneficiaries Act	October 23, 1990	The Retirement Plan Beneficiaries Act, S.M. 1992, c. 31
20A	Limitation of Actions Brought by the Crown	September 27, 1990	-
20B	Replevin and the Need for Prior Possession	January 28, 1991	(change not recommended)
	Twentieth Annual Report	March 31, 1991	(not applicable)
#74	Self-Determination in Health Care (Living Wills and Health Care Proxies)	June 25, 1991	The Health Care Directives and Consequential Amendments Act, S.M. 1992, c. 33
#75	The Independence of Justices of the Peace and Magistrates	August 15, 1991	The Provincial Court Amendment Act (Justices of the Peace), S.M. 2005, c. 8
#76	Sterilization and Legal Incompetence	January 27, 1992	(change not recommended)
	Twenty-first Annual Report	March 31, 1992	(not applicable)

Report #	Title	Date	Implementation of Commission's Recommendations
'77	Non-charitable Purpose Trusts	September 21, 1992	-
'78	Tort Liability for Animals	November 23, 1992	The Animal Liability and Consequential Amendment Act, S.M. 1998, c. 8
'79	Ethical Investments by Trustees	January 25, 1993	The Trustee Amendment Act, S.M. 1995, c. 14
'2A	Scope of Apportionment under The Tortfeasors and Contributory Negligence Act	June 22, 1992	-
'2B	Section 23 of The Wills Act Revisited	December 14, 1992	The Wills Amendment Act, S.M. 1995, c. 12
	Twenty-second Annual Report	March 31, 1993	(not applicable)
'80	Privity of Contract	October 5, 1993	-
'81	Distress for Rent in Commercial Tenancies	January 4, 1994	-
'82	Pre-contractual Misstatements	March 7, 1994	-
'83	Enduring and Springing Powers of Attorney	March 29, 1994	The Powers of Attorney and Mental Health Amendment Act, S.M. 1996, c. 62
	Twenty-third Annual Report	March 31, 1994	(not applicable)
'84	Regulating Professions and Occupations	October 28, 1994	Partly implemented, in principle, by amendments to various Acts of the Legislature
'85	Arbitration	November 28, 1994	The Arbitration and Consequential Amendments Act, S.M. 1997, c. 4
'86	Covenants in Commercial Tenancies	March 28, 1995	-
'4A	A Small Discrepancy between The Elections Act and The Local Authorities Election Act	April 26, 1994	Acts repealed and replaced by The Elections Reform Act, S.M. 2006, c. 15 and The Municipal Councils and School Boards Elections Act, S.M. 2005, c. 27.
'4B	Lapsed Residual Gifts in Wills	May 16, 1994	(no longer required due to *Re Smith and McKay* (1994), 116 D.L.R. (4th) 308 (Man. C.A.))

Report #	Title	Date	Implementation of Commission's Recommendations
24C	Security for the Administration of Estates	October 6, 1994	-
	Twenty-fourth Annual Report	March 31, 1995	(not applicable)
#87	Interim Payment of Damages	June 6, 1995	-
#88	Reselling Unused Cemetery Plots	September 21, 1995	-
#89	The Trust Provisions in The Perpetuities and Accumulations Act	September 21, 1995	-
#90	Residential Exemptions from Judgment Execution	October 17, 1995	-
#91	Minors' Consent to Health Care	December 12, 1995	-
#92	Fundamental Breach and Frustration in Commercial Tenancies	January 23, 1996	-
#93	Animal Protection	February 13, 1996	The Animal Care Act, S.M. 1996, c. 69
	Twenty-fifth Annual Report	March 31, 1996	(not applicable)
#94	Confidentiality of Mediation Proceedings	April 23, 1996	-
#95	Commercial Tenancies: Miscellaneous Issues	July 29, 1996	-
#96	Special Constables	November 12, 1996	Implemented, in part, through administrative action of the Department of Justice's Law Enforcement Services
#97	Section 270 of The Highway Traffic Act	March 24, 1997	-
#98	Stalking	May 28, 1997	The Domestic Violence and Stalking Prevention, Protection and Compensation and Consequential Amendment Act, S.M. 1998, c. 41
	Twenty-sixth Annual Report	June 30, 1997	(not applicable)
#99	Review of the Small Claims Court	March 17, 1998	The Court of Queen's Bench Small Claims Practices Amendment and Parental Responsibility Amendment Act, S.M. 1999, c. 22

Report #	Title	Date	Implementation of Commission's Recommendations
	Twenty-seventh Annual Report	March 31, 1998	(not applicable)
'100	Class Proceedings	January 1999	The Class Proceedings Act, S.M. 2001-2002, c. 14
	Twenty-eighth Annual Report	March 31, 1999	(not applicable)
'101	Trustee Investments: The Modern Portfolio Theory	June 1999	-
'102	Informal Assessment of Competence	September 1999	-
'103	Adult Protection and Elder Abuse	December 1999	-
	Twenty-ninth Annual Report	March 31, 2000	(not applicable)
104	Compensation of Vaccine-Damaged Children	June 2000	-
105	Assessment of Damages under *The Fatal Accidents Act* for the loss of Guidance, Care and Companionship	October 2000	The Fatal Accidents Amendment Act, S.M. 2001-2002, c. 13
106	The Legislative Assembly and Conflict of Interest	December 2000	The Legislative Assembly and Executive Council Conflict of Interest Amendment (Conflict of Interest Commissioner) Act, S.M. 2001-2002, c. 49
	Thirtieth Annual Report	March 31, 2001	(not applicable)
107	Good Faith and the Individual Contract of Employment	December 2001	-
	Thirty-first Annual Report	March 31, 2002	(not applicable)
108	Wills and Succession Legislation	March 11, 2003	-
	Thirty-second Annual Report	March 31, 2003	(not applicable)
109	Withholding or Withdrawing Life Sustaining Medical Treatment	December 18, 2003	Implemented, in part, through The College of Physicians and Surgeons of Manitoba's Statement on Withholding and Withdrawing Life-Sustaining Treatment, effective February 1, 2008

Report #	Title	Date	Implementation of Commission's Recommendations
	Thirty-third Annual Report	March 31, 2004	(not applicable)
#110	Substitute Consent to Health Care	October 26, 2004	-
	Thirty-fourth Annual Report	March 31, 2005	(not applicable)
#111	Costs Awards in Civil Litigation	September 13, 2005	-
#112	Review of The Garnishment Act	December 31, 2005	-
	Thirty-fifth Annual Report	March 31, 2006	(not applicable)
#113	Development Schemes	June 30, 2006	-
#114	Private Title Insurance	December 31, 2006	-
	Thirty-sixth Annual Report	March 31, 2007	(not applicable)
	Thirty-seventh Annual Report	March 31, 2008	(not applicable)
#115	Mandatory Arbitration Clauses and Consumer Class Proceedings	April 31, 2008	-
#116	Franchise Law	May 31, 2008	-
	Enduring Powers of Attorney: Areas for Reform (Western Canada Law Reform Agencies Report)	July, 2008	
#117	Enduring Powers of Attorney – Supplementary Report	September 31, 2008	-
#118	Posthumously Conceived Children: Intestate Succession and Dependants Relief – *The Intestate Succession Act*: Sections 1(3), 6(1), 4(5), 4(6) and 5	November 2008	-
#119	Private International Law	January 2009	-
	Twenty-eighth Annual Report	March 31, 2009	(not applicable)